

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 251 of 2020

Dharmendra Singh S/o Jaikaran Singh Parihar Aged About 50 Years
Resident Of Swalambi Nagar Indraprast Society Poonam Bihar East
(Wrongly Mentioned As Hast), Plot No. 84, Nagpur, Police Station
Pratapnagara Nagpur, District Nagpur Maharastra, District : Nagpur,
Maharashtra
---- **Applicant**

Versus

State Of Chhattisgarh Through- The Station House Officer, Police
Station Balod, District Balod Chhattisgarh
---- **Respondent**

For Applicant	:	Mr. Raghvendra Pradhan, Advocate.
For Respondent/State	:	Mr. Sudeep Verma, Dy. G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

26/06/2020

Heard.

1. The applicant is apprehending his arrest in connection with Crime No.216/2018 registered at police station – Balod, District Balod (C.G.) for alleged commission of offence under Section 420, 467, 468, 471, 406/34 of IPC and Section 3,4, 5 of Prize Chits & Money Circulation Scheme (Banning) Act, 1978 and Section 10 of the Chhattisgarh Protection of Depositors Interest Act, 2005.

2. Prosecution case is that one AIM-WAY Corporation India Limited Balod, dishonestly induced investors to invest huge amount with them and issued bond. However, even after expiry of the terms, after which the amount was to be repaid, no amount was paid which led to filing of FIR. According to the prosecution, when enquiry was made with regard to the company, the information received from the office of Registrar of company shows that the present applicant also as one of the directors and therefore, he is also directly involved.

3. Learned counsel for the applicant would argue that the entire basis for involving the applicant is that the applicant is one of the directors of the

company. According to him, though initially, the applicant was made director in the company, as his KYC documents were not submitted, he was not accepted as director and later on, his status as director was deactivated and he also resigned from the company.

4. On the other hand, learned State counsel opposes the bail application and submits that as per the information received by the investigating officer, the applicant is one of the directors of the Company. He would submit that the informations has been divulged by the applicant are subject matter of enquiry. At this stage, the applicant's claim that he is no longer the director, cannot be accepted.

5. Having heard learned counsel for the parties, taking into consideration that in the charge-sheet filed, the application has been shown to be one of the director and the applicant is disputing that his directorship is no longer continuing, itself, is a matter of enquiry. Prima facie, the material shows that the applicant is also one of the director. Therefore, no case is made out for grant of anticipatory bail to the applicant. The bail application is accordingly rejected.

Sd/-

(Manindra Mohan Shrivastava)

J U D G E

Rekha